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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 26th August, 1985:—

BILL NO. LXXII OF 1985

A Bill to amend certain Acts to implement the recommendations of the Committees on Subordinate Legislation regarding publication and laying of rules and other delegated legislation and certain other matters.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Delegated Legislation Provisions (Amendment) Act, 1985. Short title and commencement

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for amendments relating to different enactments mentioned in the Schedule to this Act.

2. The enactments specified in the Schedule are hereby amended to the extent and in the manner mentioned in the third column thereof. Amendment of certain enactments.

THE SCHEDULE

(*See* section 2)

AMENDMENTS

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1.	The Opium Act, 1878 (1 of 1878).	After section 25, the following section shall be inserted, namely:—
	Laying of rules before State Legislature.	"26. Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature."
2.	The Indian Railways Act, 1890 (9 of 1890).	In section 143, after sub-section (*2*), the following sub-section shall be inserted, namely:—
		"(*3*) Every rule made under sections 22, 47, 71E and 84 shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
3.	The Prisons Act, 1894 (9 of 1894).	Section 59 shall be renumbered as sub-section (*1*) thereof, and—
		(*a*) in sub-section (*1*) as so renumbered, after the words "The

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		State Government may", the words ", by notification in the Official Gazette," shall be inserted; (b) after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every rule made under this section shall be laid, as soon as may be after it is made, before the State Legislature.".
4.	The Designs Act, 1911 (2 of 1911).	In section 77, after sub-section (*3*), the following sub-section shall be inserted, namely:— "(*4*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
5.	The Co-operative Societies Act, 1912 (2 of 1912).	In section 43, after sub-section (*5*), the following sub-section shall be inserted, namely:— "(*6*) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.".

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6.	The Destructive Insects and Pests Act, 1914 (2 of 1914).	(*1*) Section 4D shall be renumbered as sub-section (*1*) thereof, and—

(*i*) the proviso to sub-section (*1*) as so renumbered, shall be omitted;

(*ii*) after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:—

"(*2*) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

(*2*) In section 5,—

(*i*) in sub-section (*1*), after the words "The State Government may", the words ", by notification in the Official Gazette," shall be inserted;

(*ii*) after sub-section (*2*), the following sub-section shall be inserted, namely:—

"(*3*) Every rule made by the State Government under

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		this section shall be laid, as soon as may be after it is made, before the State Legislature.".
7.	The Poisons Act, 1910 (12 of 1919).	In section 8, after sub-section (3), the following sub-sections shall be inserted, namely:— "(4) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. (5) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.".
8.	The Indian Securities Act, 1920 (10 of 1920).	In section 24, after sub-section (4), the following sub-sections shall be inserted, namely:— "(5) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or

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		the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. (6) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before the State Legislature.".
9.	The Identification of Prisoners Act, 1920 (33 of 1920).	In section 8,— (*i*) in sub-section (*1*), after the words "The State Government may", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this section shall be laid, as soon as may be after it is made, before the State Legislature".
10.	The Passport (Entry into India) Act, 1920 (34 of 1920).	In section 3, after sub-section (4), the following sub-section shall be inserted, namely:— "(5) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule

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		should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
11.	The Indian Boilers Act, 1923 (5 of 1923).	(*1*) Section 28 shall be renumbered as sub-section (*1*) thereof, and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.". (*2*) In section 28A, in sub-section (*2*), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted. (*3*) Section 29 shall be renumbered as sub-section (*1*) thereof, and after

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		sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.".
12.	The Workmen's Compensation Act, 1923 (8 of 1923).	In section 32, after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) Every rule made under this section shall be laid, as soon as may be after it is made, before the State Legislature.".
13.	The Indian Soldiers (Litigation) Act, 1925 (4 of 1925).	Section 13 shall be renumbered as sub-section (*1*) thereof, and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
14.	The Indian Wireless Telegraphy Act, 1933 (17 of 1933).	In section 10, in sub-section (*4*), for the words "in two successive sessions, and if, before the expiry of the

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		session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
15.	The Registration of Foreigners Act, 1939 (16 of 1939).	Section 3 shall be renumbered as sub-section (*1*) thereof, and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
16.	The Assam Rifles Act, 1941 (5 of 1941).	Section 12 shall be renumbered as sub-section (*1*) thereof, and— (*i*) in sub-section (*1*) as so renumbered, after the words "The Central Government may,", the words "by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every order and every rule made under this section shall be laid, as soon as may be after it is made,

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		before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or rule, or both Houses agree that the order or rule should not be made, the order or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order or rule.".
17.	The Weekly Holidays Act, 1942 (18 of 1942).	In section 10, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.".
18.	The Reciprocity Act, 1943 (9 of 1943).	In section 6, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or

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		both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
19.	The United Nations (Privileges and Immunities) Act, 1947 (46 of 1947).	Section 4 shall be renumbered as sub-section (*1*) thereof, and— (*i*) in sub-section (*1*) as so renumbered, after the words "The Central Government may", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

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20.	The Indian Nursing Council Act, 1947 (48 of 1947).	In section 16,— (*i*) in sub-section (*1*), after the words "The Council may", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) Every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
21.	The Pharmacy Act, 1948 (8 of 1948).	(*1*) In section 18,— (*i*) in sub-section (*1*), after the words "with the approval of the Central Government,", the words "by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*3*), the following sub-section shall be inserted, namely:— "(*4*) Every regulation made under this Act shall

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		be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
		(2) In section 46, after sub-section (2), the following sub-section shall be inserted, namely:—
		"(3) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before the State Legislature.".
22.	The Rehabilitation Finance Administration Act, 1948 (12 of 1948).	After section 24, the following section shall be inserted, namely:—
	Laying of rules and regulations before Parliament.	"25. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any

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		modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.".
23.	The Dentists Act, 1948 (16 of 1948).	(*1*) In section 20,— (*i*) in sub-section (*1*), after the words "with the approval of the Central Government,", the words "by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (3), the following sub-section shall be inserted, namely:— "(4) Every regulation made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".

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		(2) In section 55, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before the State Legislature.".
24.	The Census Act, 1948 (37 of 1958).	In section 18,— (*i*) in sub-section (*1*), after the words "The Central Government may", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*2*), the following sub-section shall be inserted, namely:— "(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

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25.	The Diplomat and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948).	In section 8, in sub-section (*1*), after the words "The Central Government may", the words ", by notification in the Official Gazette," shall be inserted.
26.	The Payment of Taxes (Transfer of Property) Act, 1949 (22 of 1949).	Section 8 shall be renumbered as sub-section (*1*) thereof, and— (*i*) in sub-section (*1*) as so renumbered, after the words "The Central Government may", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

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27.	The Central Reserve Police Force Act, 1949 (66 of 1949).	In section 18, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, befores the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
28.	The Emblems and Names (Prevention of Improper Use) Act, 1950 (12 of 1950).	Section 9 shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:— "(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case

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		may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
29.	The Air Force Act, 1950 (45 of 1950).	After section 191, the following section shall be inserted, namely:—
	Laying of rules and regulations before Parliament.	"191A. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.".
30.	The Finance Commission (Miscellaneous Provisions) Act, 1951 (33 of 1951).	Section 7 shall be renumbered as sub-section (*1*) thereof, and—
		(*i*) in sub-section (*1*) as so renumbered, after the words "by rules made", the words "by notification in the Official Gazette," shall be inserted;
		(*ii*) after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:—
		"(*2*) Every rule made under this section shall be laid, as soon as may be after it is

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		made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
31.	The Representation of the People Act, 1951 (43 of 1951).	(*1*) After section 132, the following section shall be inserted, namely:—
	Penalty for failure to observe procedure for voting.	"132A. If any elector to whom a ballot paper has been issued, refuses to observe the procedure prescribed for voting the ballot paper issued to him shall be liable for cancellation.".
		(*2*) In section 169, in sub-section (*3*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree that the rule should be either modified or annulled", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made," shall be substituted.

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32.	The Railway Companies (Emergency Provisions) Act, 1951 (51 of 1951).	In section 19, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
33.	The State Financial Corporations Act, 1951 (63 of 1951).	(1) In section 47, after the words "The State Government may", the words ", by notification in the Official Gazette," shall be inserted. (2) After section 48, the following section shall be inserted, namely:— Laying of rules and regulations before State Legislature. "48A. Every rule made under section 47 and every regulation made under section 48 shall be laid, as soon as may be after it is made, before the State Legislature.".
34.	The Industries (Development and Regulation) Act, 1951 (65 of 1951).	In section 30, for sub-section (4), the following sub-section shall be substituted, namely:— "(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be compris-

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		ed in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
35.	The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).	(*1*) After section 6C, the following section shall be inserted, namely:—
	Laying of schemes before Parliament.	"6D. Every scheme framed under section 5, section 6A and section 6C shall be laid, as soon as may be after it is framed, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme, or both Houses agree that the scheme should not be framed, the scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that scheme.".
		(*2*) In section 7, for sub-section (*2*), the following sub-section shall be substituted, namely:—
		"(*2*) Every notification issued under sub-section (*1*) shall be laid,

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		as soon as may be after it is issued, before each House of Parliament while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification, or both Houses agree that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.".
36.	The Commission of Inquiry Act, 1952 (60 of 1952).	In section 12,— (*a*) in sub-section (*3*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted; (*b*) after sub-section (*3*), the following sub-section shall be inserted, namely:— "(4) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before the State Legislature.".
37.	The Reserve and Auxiliary Air Forces Act, 1952 (62 of 1952).	In section 34, for sub-section (4), the following sub-section shall be substituted, namely:— "(4) Every rule made under this section shall be laid, as soon as may be after it is made, before

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		each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
38.	The Forward Contracts (Regulation) Act, 1952 (74 of 1952).	In section 28, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
39.	The Tea Act, 1953 (29 of 1953).	In section 50, after sub-section (3), the following sub-section shall be inserted, namely:— (4) Every rule made by the this section shall be laid, as soon as may be after it is made, before

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		each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the by-law or both Houses agree that the by-law should not be made, the by-law shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that by-law.".
40.	The Collection of Statistics Act, 1953 (32 of 1953).	In section 14, for sub-section (3), the following sub-sections shall be substituted, namely:— "(3) Every rule made by the Central Government under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. (4) Every rule made by the State Government under this section shall be laid, as soon as it is made, before the State Legislature.".

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41.	The Coir Industry Act, 1953 (45 of 1953).	(1) In section 26, in sub-section (3), for the words "before the expiry of the session in which it is so laid or the successive sessions aforesaid", the words "before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted. (2) In section 27, after sub-section (3), the following sub-section shall be inserted, namely:— "(4) Every by-law made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the by-law or both Houses agree that the by-law should not be made, the by-law shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that by-law.".
42.	The Salt Cess Act, 1953 (49 of 1953).	In section 6, in sub-section (3), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid," shall be substituted.
43.	The Wakf Act, 1954 (29 of 1954).	(1) In section 8D, in sub-section (3), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the

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		words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid," shall be substituted.
		(2) After section 68, following section shall be inserted, namely:—
	Laying of rules and regulations before State Legislature.	"68A. Every rule made under section 67 and every regulation made under section 68 shall be laid, as soon as may be after it is made, before the State Legislature.".
44.	The Spirituous Preparations (Inter-State Trade and Commerce) Control Act, 1955 (39 of 1955).	In section 3, after sub-section (3), the following sub-section shall be inserted, namely:—
		"(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
45.	The Citizenship Act, 1955 (57 of 1955).	In section 18, for sub-section (4), the following sub-section shall be substituted, namely:—
		"(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of

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		thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
46.	The Life Insurance (Emergency Provisions) Act, 1956 (9 of 1956).	In section 17, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
47.	The All-India Institute of Medical Sciences Act, 1956 (25 of 1956).	(1) In section 28, for sub-section (3), the following sub-section shall be substituted, namely:— "(3) Every rule made under this section shall be laid, as soon

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		as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
		(2) In section 29,—
		(*i*) in sub-section (*1*), for the words "may, with the previous approval of the Central Government", the words ", with the previous approval of the Central Government, may, by notification in the Official Gazette" shall be substituted;
		(*ii*) after sub-section (*2*), the following sub-section shall be inserted, namely:—
		"(*3*) Every regulation made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid,

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		both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
48.	The States Reorganisation Act, 1956 (37 of 1956).	In section 129, for sub-section (2), the following sub-section shall be substituted, namely:— "(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
49.	The Bihar and West Bengal (Transfer of Territories) Act, 1956 (40 of 1956).	In section 52, for sub-section (2), the following sub-section shall be substituted, namely:— "(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or

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		more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
50.	The River Boards Act, 1956 (49 of 1956).	(1) In section 28, for sub-section (3), the following sub-section shall be substituted, namely:— "(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.". (2) Section 29 shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:— "(2) Every regulation made under this section shall be laid, as soon as may be after it is made,

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		before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
51.	The Lok Sahayak Sena Act, 1956 (53 of 1956).	In section 11, for sub-section (*3*), the following sub-section shall be substituted, namely:— "(*3*) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

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52.	The Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956 (63 of 1956).	Section 7 shall be renumbered as sub-section (*1*) thereof, and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:— "(*2*) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
53.	The Slum Area (Improvement and Clearance) Act, 1956 (96 of 1956).	In section 40, in sub-section (*3*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session, or the successive sessions aforesaid" shall be substituted.
54.	The Working Journalists (Fixation of Rates of Wages) Act, 1958 (29 of 1958).	In section 13, after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) Every rule made under this Act, shall be laid, as soon as may be after it is made, before each House of Parliament, while

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		it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
55.	The Trade and Merchandise Marks Act, 1958 (43 of 1958).	For section 134, the following section shall be substituted, namely:—
	Laying of rules before Parliament.	"134. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".

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56.	The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (31 of 1959).	In section 10, for sub-section (*3*), the following sub-section shall be substituted, namely:— "(*3*) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
57.	The Rajasthan and Madhya Pradesh (Transfer of Territories) Act, 1959 (47 of 1959).	In section 17, in sub-section (*2*), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
58.	The Haj Committee Act 1959 (51 of 1959).	(*1*) In section 17, in sub-section (*3*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

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		(2) In section 18, after sub-section (3), the following sub-section shall be inserted, namely:— "(4) Every bye-law made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the bye-law or both Houses agree that the bye-law should not be made, the bye-law shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that bye-law.".
59.	The Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (56 of 1959).	In section 54, in sub-section (2), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
60.	The Geneva Conventions Act, 1960 (46 of 1960).	In section 19, for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive

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		sessions aforesaid" shall be substituted.
61.	The Bombay Reorganisation Act, 1960 (11 of 1960).	In section 96, in sub-section (2), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted
62.	The Motor Transport Workers Act, 1961 (27 of 1961).	In section 40,— (*i*) in sub-section (*1*), after the words "previous publication", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) Every rule made by the State Government under this Act, shall be laid, as soon as it is made, before the State Legislature.".
63.	The Dadra and Nagar Haveli Act, 1961 (35 of 1961).	In section 14, in sub-section (*3*), for the words "in two successive sessions, and if before the expiry of that session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
64.	The Voluntary Suurender of Salaries (Exemption from Taxation) Act, 1961 (46 of 1961).	In section 4 in sub-section (*2*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session imme-

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		diately following the session or the successive sessions aforesaid" shall be substituted.
65.	The Institutes of Technology Act, 1961 (59 of 1961).	In section 35,— (*i*) in sub-section (*1*), after the words "The Central Government may", the words ", by notification in the Official Gazette," shall be inserted; (*ii*) after sub-section (2), the following sub-section shall be inserted, namely:— "(*3*) Every rule made by the Central Government under this Chapter shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
66.	The Atomic Energy Act, 1962 (33 of 1962).	In section 30, in sub-section (4), for the words "before the expiry of the session in which it is so laid", the words "before the expiry of the session immediately following the session" shall be substituted.
67.	The Extradition Act, 1962 (34 of 1962).	In section 36, in sub-section (3), for the words "in two successive

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		sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
68.	The Official Languages Act, 1963 (19 of 1963).	In section 8, in sub-section (2), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
69.	The Taxation Laws (Continuation and Validation of Recovery Proceedings) Act, 1964 (11 of 1964).	In section 7,— (*i*) in sub-section (*1*), after the words "The Central Government may", the words "by notification in the Official Gazette" shall be inserted; (*ii*) in sub-section (*2*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
70.	The Industrial Development Bank of India Act, 1964 (18 of 1964).	In section 37,— (*i*) in sub-section (*1*), for the words "may, with the previous approval of the Central Government", the words ", with the previous approval of the Central Government, may, by notification in the Official Gazette," shall be substituted;

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		(*ii*) after sub-section (*3*), the following sub-section shall be inserted, namely:— "(4) Every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
71	The Punjab Reorganisation Act, 1966 (31 of 1966).	In section 97, in sub-section (*3*), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
72.	The Police Forces (Restriction of Rights) Act, 1966 (*33 of 1966*).	In section 6, in sub-section (*2*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

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73.	The Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966 (51 of 1966).	(*1*) In section 31, in sub-section (*3*), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted. (*2*) In section 32,— (*i*) in sub-section (*1*), for the words "may, with the previous approval of the Central Government", the words ", with the previous approval of the Central Government, may, by notification in the Official Gazette," shall be substituted; (*ii*) after sub-section (2), the following sub-section shall be inserted, namely:— "(*3*) Every regulation made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".

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74.	The Unlawful Activities (Prevention) Act, 1967 (37 of 1967).	In section 21, in sub-section (3), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
75.	The Bihar and Uttar Pradesh (Alteration of Boundaries) Act, 1968 (24 of 1968).	In section 36, in sub-section (2), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
76.	The Andhra Pradesh and Mysore (Transfer of Territory) Act, 1968 (36 of 1968).	In section 19, in sub-section (2), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
77.	The Border Security Force Act, 1968 (47 of 1968).	(1) In section 139, in sub-section (3), for the words "in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted. (2) In section 141, in sub-section (3), for the words "in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the

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		session or the successive sessions aforesaid" shall be substituted.
78.	The State Agricultural Credit Corporations Act, 1968 (60 of 1968).	(1) In section 46, in sub-section (3), for the words "in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted. (2) In section 47,— (*i*) in sub-section (1), for the words "may, after consultation with the Reserve Bank", the words ", after consultation with the Reserve Bank, may, by notification in the Official Gazette" shall be substituted; (*ii*) after sub-section (3), the following sub-section shall be inserted, namely:— "(4) Every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation, or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the

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		validity of anything previously done under that regulation.".
79.	The Registration of Births and Deaths Act, 1969 (18 of 1969).	In section 30, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislature.".
80.	The Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969).	In section 77, in sub-section (2), for the words "in two successive sessions, and, if before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
81.	The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970).	In section 19, in sub-section (1), after the words "of the Central Government," , the words "by notification in the Official Gazette," shall be inserted.
82.	The Patents Act, 1970 (39 of 1970).	In section 160, for the words "in two successive sessions, and, if before the expiry of the session in which it is so laid or in the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
83.	The State of Himachal Pradesh Act, 1970 (53 of 1970).	In section 54, in sub-section (2), for the words "in two successive sessions, and if, before the expiry of the sessions in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
84.	The General Insurance (Emergency Provisions) Act, 1971 (17 of 1971).	In section 16, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this Act shall be laid, as soon as

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		may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
85.	The Jayanti Shipping Company (Acquisition of Shares) Act, 1971 (63 of 1971).	In section 16, in sub-section (2), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
86.	The Coking Coal Mines (Emergency Provisions) Act, 1971 (64 of 1971).	In section 19, in sub-section (3), for the words "in two successive sessions, and if, before the expiry of the session in which it is so laid, or the session immediately following", the words "in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.
87.	The Delhi Sikh Gurdwaras Act, 1971 (82 of 1971).	In section 40, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every regulation made under this section shall be laid, as soon as may be after it is made, before each House of Parliament,

Sl. No.	Short title	Amendments
		while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
88.	The Marine Products Export Development Authority Act, 1972 (13 of 1972).	In section 34, after sub-section (4), the following sub-section shall be inserted, namely:— "(5) Every regulation made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
89.	The Diplomatic Relation (Vienna Convention) Act, 1972 (43 of 1972).	In section 10, after the words "The Central Government may", the words ", by notification in the Official Gazette," shall be inserted.

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90.	The General Insurance Business (Nationalisation) Act, 1972 (57 of 1972).	For section 17, the following section shall be substituted, namely:—
	Laying of schemes and notifications before Parliament.	"17. Every scheme framed under sub-section (*1*) of section 16 and every notification issued under sub-section (*3*) of that section shall be laid, as soon as may be after it is framed or issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme or notification or both Houses agree that the scheme or notification should not be framed or issued, the scheme or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that scheme or notification.".
91.	The Delhi Urban Art Commission Act, 1973 (1 of 1974).	Section 27 shall be renumbered as sub-section (*1*) thereof, and after sub-section (*1*) as so renumbered, the following sub-section shall be inserted, namely:—
		"(*2*) Every regulation made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions

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		aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.".
91.	The Prize Chits and Money Circulation Schemes (Banning) Act, 1978 (43 of 1978).	In section 13, after sub-section (2), the following sub-section shall be inserted, namely:— "(3) Every rule made under this section shall be laid, as soon as may be after it is made, before the State Legislature.".

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the various Acts mentioned in the Schedule thereto mainly for the purpose of giving effect to the recommendations of the Committees on Subordinate Legislation regarding publication and laying of rules and other delegated legislation.

2. The Committee on Subordinate Legislation (Seventh Lok Sabha) has recommended that the provision which is at present contained in sub-rule (8) of rule 39A of the Conduct of Election Rules, 1961, should be incorporated in the Act itself. The sub-rule provides for cancellation of ballot paper issued to an elector in case he refuses to adopt the procedure prescribed under that rule. The present opportunity is being availed of to include this recommendation also.

3. The Bill seeks to achieve the above objects.

NEW DELHI;
The 9th August, 1985.

A. K. SEN.

SUDARSHAN AGARWAL,
Secretary-General.

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Appointment of officers and other employees of the Authority.

10. (*1*) For the purpose of enabling it efficiently to discharge its functions under this Act, the Authority shall, subject to the provisions of section 13 and to such rules as may be made in this behalf, appoint (whether on deputation or otherwise) such number of officers and other employees as it may consider necessary:

Provided that the appointment of such category of officers, as may be specified after consultation with the Chairman in such rules, shall be subject to the approval of the Central Government.

(*2*) Subject to the provisions of section 13, every officer or other employee appointed by the Authority shall be subject to such conditions of service and shall be entitled to such remuneration as may be determined by regulations.

Authority to act on business principles.

11. In the discharge of its functions under this Act, the Authority shall act, so far as may be, on business principles.

CHAPTER III

FUNCTIONS OF THE AUTHORITY

Functions of the Authority.

12. (*1*) Subject to the rules, if any, made by the Central Government in this behalf, it shall be the function of the Authority to manage the aerodromes, the civil enclaves and the aeronautical communication stations efficiently.

(*2*) It shall be the duty of the Authority to provide air traffic service and air transport service at any aerodrome and civil enclaves.

(*3*) Without prejudice to the generality of the provisions contained in sub-sections (*1*) and (*2*), the Authority may—

(*a*) plan, develop, construct and maintain runways, taxiways, aprons and terminals and ancillary buildings at the aerodromes and civil enclaves;

(*b*) plant, procure, instal and maintain navigational aids, communication equipment, beacons and ground aids at the aerodromes and at such locations as may be considered necessary for safe navigation and operation of aircraft;

(*c*) provide air safety services and search and rescue facilities in co-ordination with other agencies;

(*d*) establish schools or institutions or centres for the training of its officers and employees in regard to any matter connected with the purposes of this Act;

(*e*) construct residential buildings for its employees;

(*f*) establish and maintain hotels, restaurants and restrooms at or near the aerodromes;

(*g*) establish warehouses and cargo complexes at the aerodromes for the storage or processing of goods;

(*h*) arrange for postal, money exchange, insurance and telephone facilities for the use of passengers and other persons at the aerodromes and civil enclaves;

(*i*) make appropriate arrangements for watch and ward at the aerodromes and civil enclaves;

(*j*) regulate and control the plying of vehicles, and the entry and exit of passengers and visitors, in the aerodromes and civil enclaves with due regard to the security and protocol functions of the Government of India;

(*k*) develop and provide consultancy services in India and abroad in relation to planning and development of airports, air-navigation services, ground aids and safety services or any facilities thereat;

(*l*) establish and manage heliports;

(*m*) provide such transport facility as are, in the opinion of the Authority, necessary to the passengers travelling by air;

(*n*) form one or more companies under the Companies Act, 1956 or under any other law relating to companies to further the efficient discharge of the functions imposed on it by this Act; 1 of 1956.

(*o*) take all such steps as may be necessary or convenient for, or may be incidental to, the exercise of any power or the discharge of any function conferred or imposed on it by this Act; and

(*p*) perform any other function considered necessary or desirable by the Central Government for ensuring the safe and efficient operation of aircraft to, from and across the air space of India.

(*4*) In the discharge of its functions under this section, the Authority shall have due regard to the development of air transport service and to the efficiency, economy and safety of such service.

(*5*) Nothing contained in this section shall be construed as—

(*a*) imposing an obligation on the Authority to discharge any function or duty under this section with respect to any aerodrome to which this Act does not apply;

(*b*) authorising the disregard by the Authority of any law for the time being in force; or

(*c*) authorising any person to institute any proceeding in respect of duty or liability to which the Authority or its officers or other employees would not otherwise be subject.

CHAPTER IV

PROPERTY AND CONTRACT

Transfer of assets and liabilities of the Central Government to the Authority.

13. (*1*) As from such date as the Central Government may appoint by notification in the Official Gazette—

(*a*) all properties and other assets including the equipment and navigational and ground aids relating to air traffic services and vested in the Central Government for the purposes of any aerodrome, civil enclave and aeronautical communication station and administered by the Director-General of Civil Aviation immediately before such date shall vest in the Authority;

(*b*) all properties and other assets vested in the Central Government for the purposes of Civil Aviation Training Centre, Allahabad and the Fire Services Training School, Calcutta and administered by the Director-General of Civil Aviation immediately before such date shall vest in the Authority;

(c) all residential buildings owned by the Director-General of Civil Aviation immediately before such date shall vest in the Authority;

(*d*) all debts, obligations and liabilities incurred, all contracts entered into, and all matters and things engaged to be done by, with, or for the Central Government immediately before such date for or in connection with the purposes of any aerodrome, civil enclave, aeronautical communication station, the Civil Aviation Training Centre and the Fire Services Training School shall be deemed to have been incurred, entered into and engaged to be done by, with, or for the Authority;

(e) all non-recurring expenditure incurred by the Central Government for or in connection with the purposes of any aerodrome, civil enclave, aeronautical communication station, Civil Aviation Training Centre, Fire Services Training School up to such date and declared to be capital expenditure by the Central Government shall, subject to such terms and conditions as may be prescribed by the Central Government, be treated as capital provided by the Central Government to the Authority;

(f) all sums of money due to the Central Government in relation to any aerodrome, civil enclave, aeronautical communication station, Civil Aviation Training Centre and Fire Services Training School immediately before such date shall be deemed to be due to the Authority;

(*g*) all suits and other legal proceedings instituted or which could have been instituted by or against the Central Government immediately before such date for any matter in relation to any aerodrome, civil enclave, aeronautical communication station, Civil Aviation Training Centre and Fire Services Training School may be continued or instituted by or against the Authority.

(*2*) If any dispute or doubt arises as to which of the properties, rights or liabilities of the Central Government have been transferred to the

Authority or as to which of the employees serving under the Director-General of Civil Aviation are to be treated as on deputation with the Authority under this section, such dispute or doubt shall be decided by the Central Government in consultation with the Authority and the decision of the Central Government thereon shall be final.

(3) Every employee holding any office under the Director-General of Civil Aviation immediately before the commencement of this Act solely or mainly for or in connection with such affairs of the Directorate-General of Civil Aviation as are relevant to the functions of the Authority under this Act as may be determined by the Central Government shall be treated as on deputation with the Authority but shall hold his office in the Authority by the same tenure and upon the same terms and conditions of service as respects remuneration, leave, provident fund, retirement or other terminal benefits as he would have held such office, if the Authority had not been constituted and shall continue to do so until the Authority duly absorbs such employee in its regular service:

Provided that during the period of deputation of any such employee with the Authority, the Authority shall pay the Central Government in respect of every such employee, such contribution towards his leave, salary, pension and gratuity as the Central Government may, by order, determine:

Provided further that any such employee, who has, in respect of the proposal of the Authority to absorb him in his regular service, intimated within such time as may be specified in this behalf by the Authority his intention of not becoming a regular employee of the Authority, shall not be absorbed by the Authority.

(4) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or in any other law for the time being in force, the absorption of any employee by the Authority in its regular service under this section shall not entitle such employee to any compensation under that Act or other law and no such claim shall be entertained by any court, tribunal or other authority. 14 of 1947.

Compulsory acquisition of land for the Authority.

14. Any land required by the Authority for discharging its functions under this Act shall be deemed to be needed for a public purpose and such land may be acquired for the Authority under the provisions of the Land Acquisition Act, 1894 or of any other corresponding law for the time being in force. 1 of 1894.

Contracts by the Authority.

15. Subject to the provisions of section 16, the Authority shall be competent to enter into and perform any contract necessary for the discharge of its functions under this Act.

Mode of executing contracts on behalf of the Authority.

16. (*1*) Every contract shall, on behalf of the Authority, be made by the Chairman or such other member or such officer of the Authority as may be generally or specially empowered in this behalf by the Authority and such contracts or class of contracts as may be specified in the regulations shall be sealed with the common seal of the Authority:

Provided that no contract exceeding such value or amount as the Central Government may, from time to time, by order, fix in this behalf shall be made unless it has been previously approved by the Authority:

Provided further that no contract for the acquisition or sale of immovable property or for the lease of any such property for a term exceeding thirty years and no other contract exceeding such value or amount as the Central Government may, from time to time, by order, fix in this behalf shall be made unless it has been previously approved by the Central Government.

(2) Subject to the provisions of sub-section (*1*), the form and manner in which any contract shall be made under this Act shall be such as may be specified by regulations.

(*3*) No contract which is not in accordance with the provisions of this Act and the regulations shall be binding on the Authority.

CHAPTER V

FINANCE, ACCOUNTS AND AUDIT

Power of the Authority to charge fees, rent, etc.

17 The Authority may,—

(*i*) with the previous approval of the Central Government, charge fees or rent,—

(*a*) for the landing, housing or parking of aircraft or for any other service or facility offered in connection with aircraft operations at any aerodrome or heliport.

Explanation.—In this sub-clause "aircraft" does not include an aircraft belonging to any armed force of the Union and "aircraft operations" do not include operations of any aircraft belonging to the said force;

(*b*) for providing air traffic services, ground safety services, aeronautical communications and navigational aids and meteorological services at any aerodrome and at any aeronautical communication stations;

(*c*) for the amenities given to the passengers and visitors at any aerodrome, civil enclave or heliport;

(*d*) for the use and enjoyment by persons of facilities and other services provided by the Authority at any aerodrome, civil enclave or heliport;

(*ii*) with due regard to the instructions that the Central Government may give to the Authority, from time to time, charge fees or rent from persons who are given by the Authority any facility for carrying on any trade or business at any aerodrome or heliport.

Additional capital and grant to the Authority by the Central Government.

18. The Central Government may, after due appropriation made by Parliament by laws in this behalf,—

(*a*) provide any capital, over and above the capital provided under clause (*e*) of sub-section (*1*) of section 13, that may be required by the Authority for the discharge of its functions under this Act or for any purpose connected therewith on such terms and conditions as that Government may determine;

(b) pay to the Authority, on such terms and conditions as the Central Government may determine, by way of loans or grants such sums of money as that Government may consider necessary for the efficient discharge by the Authority of its functions under this Act.

Fund of the Authority.

19. (*1*) The Authority shall have its own fund and all receipts of the Authority shall be credited thereto and all payments of the Authority shall be made therefrom.

(*2*) The Authority shall have power, subject to the provisions of this Act, to spend such sums as it thinks fit to cover all administrative expenses of the Authority and on objects or for purposes authorised by this Act and such sums shall be treated as expenditure out of the fund of the Authority.

(*3*) All moneys standing at the credit of the Authority which cannot immediately be applied as provided in sub-section (*2*), shall be deposited in the State Bank of India or in such scheduled bank or banks and subject to such conditions as may, from time to time, be specified by the Central Government.

Explanation.—In this sub-section, "scheduled bank" has the same meaning as in clause (*e*) of section 2 of the Reserve Bank of India Act, 1934. 2 of 1934.

Allocation of surplus funds.

20. (*1*) The Authority may, from time to time, set apart such amounts as it thinks fit as a reserve fund or funds for the purpose of expanding existing facilities or services or creating new facilities or services at any aerodrome or for the purpose of providing against any temporary decrease of revenue or increase of expenditure from transient causes or for purposes of replacement or for meeting expenditure arising from loss or damage from fire, cyclone, air-crash or other accident or for meeting any liability arising out of any act or omission in the discharge of its functions under this Act:

Provided that without prejudice to the right of the Authority to establish specific reserves for one or more specific purposes, the Authority shall also have the power to establish a general reserve:

Provided further that the sums set apart annually in respect of each or any of the specific and general reserves and the aggregate at any time of such sums shall not exceed such limits as may, from time to time, be fixed in that behalf by the Central Government.

(*2*) After making provision for such reserve fund or funds and for bad and doubtful debts, depreciation in assets and all other matters which are usually provided for by companies registered and incorporated under the Companies Act, 1956, the Authority shall pay the balance of its annual net profits to the Central Government. 1 of 1956.

Submission of programme of activities and financial estimates.

21. (*1*) The Authority shall, before the commencement of each financial year, prepare a statement of the programme of its activities during the forthcoming financial year as well as a financial estimate in respect thereof.

(*2*) The statement prepared under sub-section (*1*) shall, not less than three months before the commencement of each financial year, be submitted for approval to the Central Government.

(3) The statement and the financial estimates of the Authority may, with the approval of the Central Government, be revised by the Authority.

Investment of funds.

22. The Authority may invest its funds (including any reserve fund) in the securities of the Central Government or in such other manner as may be prescribed.

Borrowing powers of the Authority.

23. (1) The Authority may, with the consent of the Central Government or in accordance with the terms of any general or special authority given to it by the Central Government, borrow money from any source by the issue of bonds, debentures or such other instruments as it may deem fit for discharging all or any of its functions under this Act.

(2) **The Cetral Government may guarantee in such manner as it thinks fit, the repayment of the principal and the payment of interest thereon with respect to the loans borrowed by the Authority under sub-section** (1).

(3) Subject to such limits as the Central Government may, from time to time, lay down, the Authority may borrow temporarily by way of overdraft or otherwise such amounts as it may require for discharging its functions under this Act.

Accounts and audit.

24. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the profit and loss account and the balance-sheet in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority shall be audited annually by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Authority shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers, documents and papers and inspect any of the offices of the Authority.

(4) The accounts of the Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

CHAPTER VI

MISCELLANEOUS

Submission of annual report.

25. (1) The Authority shall, as soon as may be after the end of each financial year, prepare and submit to the Central Government in such form as may be prescribed a report giving an account of its activities during that financial year and the report shall also give an account of

the activities which are likely to be undertaken by the Authority during the next financial year.

(2) The Central Government shall cause such report to be laid before both Houses of Parliament as soon as may be after it is submitted.

Delegation.

26. The Authority may, by general or special order in writing, delegate to the Chairman or any other member or to any officer of the Authority, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act (except the powers under section 38) as it may deem necessary.

Authentication of orders and other instruments of the Authority.

27. All orders and decisions of the Authority shall be authenticated by the signature of the Chairman or any other member authorised by the Authority in this behalf and all other instruments executed by the Authority shall be authenticated by the signature of an officer of the Authority authorised by it in this behalf.

Officers and employees of the Authority to be public servants.

28. All officers and employees of the Authority shall, when acting or purporting to act in pursuance of the provisions of this Act or of any rule or regulation made thereunder, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Protection of action taken in good faith.

29. No suit, prosecution or other legal proceeding shall lie against the Authority or any member or any officer or other employee of the Authority for anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or regulation made thereunder or for any damage sustained by any aircraft or vehicle in consequence of any defect in any of the aerodromes, civil enclaves, aeronautical communication stations or other things belonging to or under the control of the Authority.

Custody and disposal of lost property.

30. Subject to such regulations as the Authority may make in this behalf, the Authority shall provide for securing the safe custody and restoration of any property which, while not in proper custody, is found on any premises belonging to the Authority or under its overall control or in any aircraft on any such premises.

Provisions relating to income-tax.

31. For the purposes of the Income-tax Act, 1961 or any other enactment for the time being in force relating to income-tax or any other tax on income, profits or gains, the Authority shall be deemed to be a company within the meaning of the Income-tax Act, 1961 and shall be liable to tax accordingly on its income, profits and gains. 43 of 1961.

Power of the Authority to undertake certain works.

32. The Authority may undertake to carry out on behalf of any person any works or services or any class of works or services on such terms and conditions as may be agreed upon between the Authority and the person concerned.

Power to issue directions.

33. (1) The Authority or any officer specially authorised by it in this behalf may, from time to time, by order, issue directions, consistent with provisions of the Aircraft Act, 1934, and the rules made thereunder, 22 of 1934.

with respect to any of the matters specified in clauses (*f*), (*h*), (*i*), (*j*), (*k*), (*m*), (*p*), (*qq*), and (*r*) of sub-section (2) of section 5 of that Act, to any person or persons engaged in aircraft operations or using any aerodrome or civil enclave, in any case where the Authority or the officer is satisfied that in the interests of the security of India or for securing the security of the aircraft it is necessary to do so.

(2) Every direction issued under sub-section (1) shall be complied with by the person or persons to whom such direction is issued.

(3) If any person wilfully fails to comply with any direction issued under this section, he shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees, or with both.

Power of the Central Government to temporarily divest the Authority of the management of any aerodrome.

34. (1) If at any time the Central Government is of opinion that in the public interest it is necessary or expedient so to do, it may, by order, direct the Authority to entrust the management of any aerodrome, civil enclave or aeronautical communication station with effect from such date and to such person as may be specified in the order and the Authority shall be bound to comply with such direction:

Provided that before an order is made under this sub-section the Authority shall be given a reasonable opportunity of being heard in the matter.

(2) Where the management of any aerodrome, civil enclave or aeronautical communication station is entrusted to any person specified under sub-section (1) (hereafter in this section referred to as the authorised person), the Authority shall cease to exercise and discharge all its powers and functions under this Act in relation to such aerodrome, civil enclave or aeronautical communication station and such powers and functions shall be exercised and discharged by the authorised person in accordance with the instructions, if any, which the Central Government may give to the authorised person from time to time:

Provided that no such power or function as may be specified by the Central Government by a general or special order shall be exercised or discharged by the authorised person except with the previous sanction of the Central Government.

(3) An order made under sub-section (1) shall unless rescinded, be in operation for a period of six months from the date on which the management of the aerodrome, civil enclave or aeronautical communication station is entrusted to the authorised person:

Provided that the Central Government may extend such period for a further period or periods not exceeding eighteen months.

(4) During the operation of an order made under sub-section (1), it shall be competent for the Central Government to issue, from time to time, such directions to the Authority as are necessary to enable the authorised person to exercise the powers and discharge the functions of the Authority under this Act in relation to the aerodrome, civil enclave or aeronautical communication station, the management of which has been entrusted to him and in particular to transfer any sum of money

from the fund of the Authority to the authorised person for the management of the aerodrome, civil enclave or aeronautical communication station and every such direction shall be complied with by the Authority.

(5) On the cesser of operation of any order made under sub-section (1) in relation to any aerodrome, civil enclave or aeronautical communication station, the authorised person shall cease to exercise and perform the powers and functions of the Authority under this Act in relation to such aerodrome, civil enclave or aeronautical communication station and the Authority shall continue to exercise and perform such powers and functions in accordance with the provisions of this Act.

(6) On the cesser of operation of any order made under sub-section (1) in relation to any aerodrome, civil enclave, aeronautical communication station, the authorised person shall hand over to the Authority any property (including any sum of money or other asset) remaining with him in connection with the management of such aerodrome, civil enclave, aeronautical communication station.

(7) Anything done or any action taken lawfully by the authorised person in relation to any aerodrome, civil enclave, aeronautical communication station during the period of operation of an order made under sub-section (1) shall be deemed to have been done or taken by the Authority and shall be binding on the Authority.

Power of the Central Government to supersede the Authority.

35. (1) If, at any time, the Central Government is of opinion—

(a) that on account of a grave emergency, the Authority is unable to discharge the functions and duties imposed on it by or under the provisions of this act; or

(b) that the Authority has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act and as a result of which default the financial position of the Authority or the administration of any aerodrome, civil enclave, aeronautical communication station has deteriorated; or

(c) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Authority for such period, not exceeding six months, as may be specified in the notification:

Provided that before issuing a notification under this sub-section for the reasons mentioned in clause (b) the Central Government shall give a reasonable opportunity to the Authority to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the Authority

(2) Upon the publication of a notification under sub-section (1) superseding the Authority,—

(a) all the members shall, as from the date of supersession, vacate their offices as such;

(*b*) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Authority, shall until the Authority is re-constituted under sub-section (*3*), be exercised and discharged by such person or persons as the Central Government may direct;

(*c*) all property owned or controlled by the Authority shall, until the Authority is re-constituted under sub-section (*3*), vest in the Central Government.

(*3*) On the expiration of the period of supersession specified in the notification issued under sub-section (*1*), the Central Government may—

(*a*) extend the period of supersession for such further term, not exceeding six months, as it may consider necessary; or

(*b*) re-constitute the Authority by fresh appointment and in such case any persons who vacated their offices under clause (*a*) of sub-section (*2*) shall not be deemed disqualified for appointment:

Provided that the Central Government may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (*1*) or as extended under this sub-section, take action under clause (*b*) of this sub-section.

(*4*) The Central Government shall cause a notification issued under sub-section (*1*) and a full report of any action taken under this section and the circumstances leading to such action to be laid before both Houses of Parliament at the earliest opportunity.

Power of the Central Government to issue directions.

36. (*1*) Without prejudice to the foregoing provisions of this Act, the Authority shall, in the discharge of its functions and duties under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time:

Provided that the Authority shall, as far as practicable, be given opportunity to express its views before any direction is given under this sub-section.

(*2*) The decision of the Central Government whether a question is one of policy or not shall be final.

(*3*) The Central Government may, from time to time, issue directions to the Authority regarding the discharge of any functions to it under clause (*e*) of sub-section (*3*) of section 12 and the Authority shall be bound to comply with such directions.

Power to make rules.

37. (*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the conditions of service of the Chairman and other members under section 5 including the salaries payable to the Chairman and to the members who are required to render whole-time service and the fees and allowances payable to the members who are required to render part-time service;

(*b*) the period of notice required to terminate the appointment of any member, who is required to render part-time service and who

is not a servant of the Government, under section 5 and the period of notice that may be given to the Central Government by a member before he resigns his office, under that section;

(*c*) the conditions and limitations subject to which the Authority may appoint officers and other employees under sub-section (*1*) of section 10;

(*d*) the terms and conditions subject to which the non-recurring expenditure incurred by the Central Government for or in connection with the purposes of any aerodrome, civil enclave, aeronautical communication station, the Civil Aviation Training Centre and the Fire Service Training School shall be treated as the capital provided by the Central Government to the Authority under clause (*e*) of sub-section (*1*) of section 13;

(*e*) the manner in which the Authority may invest its funds under section 22;

(*f*) the form in which the Authority shall prepare the annual statement of accounts including the profit and loss account and the balance-sheet under section 24; and

(*g*) any other matter which is to be or may be prescribed.

Power to make regulations.

38. (*1*) The Authority may make regulations not inconsistent with this Act and the rules made thereunder to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act.

(*2*) Without prejudice to the generality of the foregoing power, such regulations may provide for—

(*a*) the time and places of the meetings of the Authority and the procedure to be followed for the transaction of business at such meetings under sub-section (*1*) of section 8;

(*b*) the conditions of service and the remuneration of officers and other employees appointed by the Authority;

(*c*) the allotment of residential accommodation to the officers and other employees appointed by the Authority;

(*d*) the contracts or class of contracts which are to be sealed with the common seal of the Authority and the form and manner in which a contract may be made by the Authority;

(*e*) the storage or processing of goods in any warehouse established by the Authority under clause (*g*) of sub-section (*3*) of section 12 and the charging of fees for such storage or processing;

(*f*) the custody and restoration of lost property and the terms and conditions under which lost property may be restored to the persons entitled thereto;

(*g*) the disposal of any lost property in cases where such property is not restored;

(*h*) securing the safety of aircraft, vehicles and persons using the aerodrome or civil enclave and preventing danger to the public

arising from the use and operation of aircraft in the aerodrome or civil enclave;

(*i*) preventing obstruction within the aerodrome or civil enclave for its normal functioning;

(*j*) prohibiting the parking or waiting of any vehicle of carriage within the aerodrome or civil enclave except at places specified by the Authority;

(*k*) prohibiting or restricting access to any part of the aerodrome or civil enclave;

(*l*) preserving order within the aerodrome or civil enclave and preventing damage to property therein;

(*m*) regulating or restricting advertising within the aerodrome or civil enclave;

(*n*) requiring any person, if so directed by an officer appointed by the Authority in this behalf, to leave the aerodrome or civil enclave or any particular part of the aerodrome or civil enclave; and

(*o*) generally for the efficient and proper management of the aerodrome or civil enclave.

(*3*) Any regulation made under any of the clauses (*h*) to (*o*) (inclusive) of sub-section (*2*) may provide that a contravention thereof shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing contravention with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention.

(*4*) No regulation made by the Authority under this section shall have effect until it has been approved by the Central Government and published in the Official Gazette.

Supplementary provisions respecting regulations.

39. Any regulation which may be made by the Authority under this Act may be made by the Central Government by notification in the Official Gazette within one year of the constitution of the Authority and any regulation so made may be altered or rescinded by the Authority by means of a regulation made by it under this Act.

Rules and regulations to be laid before Parliament.

40. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Power to remove difficulties.

41. (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by general or special order published in the Official Gazette make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for the removal of the difficulty:

Provided that no such order shall be made after the expiration of one year from the commencement of this Act.

(2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the order or both Houses agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Amendment of Act 22 of 1934.

42. In sub-section (*2*) of section 5 of the Aircraft Act, 1934, in clause (*b*), after the words and figures "the International Airports Authority Act, 1971", the words and figures "or the National Airports Authority Act, 1985" shall be inserted. 43 of 1971.

STATEMENT OF OBJECTS AND REASONS

The Directorate-General of Civil Aviation (DGCA), is responsible for the regulation and control of civil aviation activity in the country.

The main functions of this organisation are:—

(i) Construction and maintenance of domestic airports, including runways, taxi-ways, aprons and terminal buildings;

(ii) Procurement, installation and maintenance of navigational aids and provision of tele-communications, navigational and air traffic control services;

(iii) Regulatory functions such as licensing and training, air-worthiness and air safety control, ground safety and economic and regulatory functions relating to air transport services.

2. As a result of an all-round increase in the above activities and the introduction of sophisticated aircraft, the infra-structural facilities at aerodromes have had to be constantly improved. The functioning of the DGCA has been found difficult due to its having to have its constructions executed by the CPWD, its purchases routed through the DGS and D and its personnel recruited through the UPSC. There had therefore been delays in the above activities of the DGCA.

3. In order to study in depth the possibility of improving efficiency by introducing increased flexibility and autonomy for the development of domestic airports and the provision of air traffic services, the Ministry of Tourism and Civil Aviation set up an Experts Committee under the Chairmanship of the Director-General Civil Aviation. The Committee recommended setting up of a statutory authority, which would have the necessary flexibility and autonomy for taking up developmental activities in the field of civil aviation.

4. The recommendations of this Committee have been examined in depth and it is proposed to constitute a statutory authority for the development, construction and management of domestic airports and for the provision of navigational and tele-communication facilities and air traffic control services at airports located in different parts of the country.

5. For the remaining four-year period of the Seventh Five-Year Plan, a sum of Rs. 311.26 crores has been proposed for meeting the capital expenditure on the developmental activities at the various airports. This outlay can be spent more effectively with the setting up of the Authority. Projections with regard to estimated revenue, receipts and expenditure and the internal resources likely to be generated by the proposed Authority reveal that the creation of an autonomous domestic airports Authority would not cause any additional financial burden or liability on the Central Government and would, in fact, have definite functional advantages.

6. It is accordingly proposed to constitute a statutory authority for the development, construction and maintenance of all the domestic airports and civil enclaves in the country and also for provision of air

traffic, tele-communication and navigational services. The Act will apply in relation to all aerodromes, civil enclaves and aeronautical communication stations, other than aerodromes to which the International Airports Authority Act, 1971, applies, and aerodromes and airfields belonging to or subject to the control of any armed force of the Union and will include premises necessary for carrying on by the said Authority, of the functions conferred on it by the Act.

7. The Bill seeks to achieve the above objects.

8. The Notes on clauses appended to the Bill explain the more important provisions of the Bill.

NEW DELHI; ASHOK GEHLOT.
The 25th August, 1985.

PRESIDENTS RECOMMENDATION UNDER ARTICLES 117 AND 274 OF THE CONSTITUTION OF INDIA

[Copy of letter No. A. 11013|1|85-VE, dated the 23rd August, 1985 from Shri Ashok Gehlot, Minister of State in the Ministry of Tourism and Civil Aviation to the Secretary-General, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to provide for the establishment of a statutory Authority for the management of domestic airports and air traffic services and the matters connected therewith, recommends the introduction of the Bill in Lok Sabha under article 117(1) read with clause (1) of article 274 of the Constitution and its consideration under clause (3) of article 117 of the Constitution

Notes on clauses

Clause 1 (3) specifies the aerodromes, civil enclaves, aeronautical communication centres to which the Bill applies.

Clause 2 deals with the definitions of certain expressions used in the Bill.

Clause 3 provides for the constitution and incorporation of the National Airports Authority. Under this clause, the Authority will be a body corporate and will consist of a whole-time Chairman, the Director-General of Civil Aviation, *ex-officio* member and not less than 8 and not more than 14 members to be appointed by the Central Government.

Clause 4 deals with the disqualifications for being appointed as a member of the Authority.

Clause 5 provides for the term of office of members, resignation by them and the circumstances in which their appointments may be terminated and filling up of casual vacancies.

Clause 6 deals with the removal of the members on the grounds of disqualification or on account of becoming incapable of acting or if he absents himself without proper leave or in the opinion of the Central Government has abused his position.

Clause 7 deals with the eligibility of members for re-appointment.

Clause 8 provides for the meetings of the Authority for transacting business and the quorum at such meetings. It also provides that in the absence of Chairman, an other member could preside over such meetings. Matters coming before the Authority shall be decided by majority of votes of the members present and voting.

Clause 9 lays down that any vacancy in or defect in the constitution of the Authority or any defect in the appointment of a person as a member or irregularity in the procedure of the Authority will not invalidate the proceedings.

Clause 10 deals with the appointment of officers and other employees of the Authority.

Clause 11 provides that the Authority shall act on business principles.

Clause 12 provides for the functions of the Authority. It shall be the function of the Authority to manage the aerodromes and the civil enclaves to which the Act applies or is made applicable, efficiently. An obligation has been cast on the Authority to provide at the aerodromes, air traffic services including aeronautical and flight services, ground safety services, aeronautical and navigational aids for the safe and efficient conduct of the flights. Sub-clause (3) of this clause enumerates in detail the various functions to be performed by the Authority.

Clause 13 provides for the transfer of assets and liabilities of the Central Government to the Authority. All non-recurring expenditure incurred by the Central Government for or in connection with the purposes of aerodromes, civil enclaves, aeronautical communication stations, Civil Aviation Training Centre, Fire Services Training School, to which the Act applies and declared to be capital expenditure shall be treated as the capital provided by the Central Government to the Authority.

Clause 14 provides that any land requred by the Authority for discharging its functions under the legislation shall be deemed to be needed for a public purpose and land may be acquired for the Authority under the provisions of the Land Acquisition Act, 1894 (1 of 1894) or of any other corresponding law for the time being in force.

Clause 15 empowers the Authority to enter into and perform any contract necessary for the discharge of its functions under this Bill.

Clause 16 provides for the modes of executing contracts on behalf of the Authority. It has also been provided in this clause that no contract for acquisition or sale of immovable property or of the lease of any such property for a term exceeding 30 years and no other contract exceeding such value or amount as the Central Government may, from time to time, by order, fix in this behalf, shall be made, unless it has been previously approved by the Central Government. Contracts which are not in accordance with the provisions of this Bill, rules and the regulations made thereunder shall be binding on the Authority.

Clause 17 empowers the Authority to charge, with the previous approval of the Central Government, fees or rents for the landing, housing or marking of aircrafts or for any other services or facility offered in connection with aircraft operations at any aerodrome or heliport; for providing air traffic services, safety services, aeronautical communications and navigational aids at any aerodrome, the amenities given to the passengers, etc.

Clause 18 empowers the Central Government to provide additional capital to the Authority required by the Authority for the discharge of its functions under the Act on such terms and conditions as the Central Government may determine and also to pay to the Authority by way of loans or grants such sums of money as the Central Government may consider necessary for the efficient discharge by the Authority of its functions under this Bill.

Clause 19 provides that the Authority shall have its own fund, and all its receipts should be credited thereto and all its payments should be made therefrom. The clause also provides that all moneys standing at the credit of the Authority which cannot immediately be applied shall be deposited in the State Bank of India or in such scheduled bank or banks, as may be specified by the Central Government.

Clause 20 provides for the establishment of reserve fund or funds for purposes of expanding existing facilities or services or creating new facilities or services at any aerodrome or for purpose of providing against any temporary decrease of revenue or increase of expenditure from transient causes or for purposes of replacement or for meeting expenditure arising from loss or damage from fire, cyclone, air-crash or other

accident or for meeting any liability arising out of any act or omission in the discharge of the functions of the Authority under this legislation. After making provision for such reserve fund or funds and for bad and doubtful debts, depreciation in assets and all other matters which are usually provided for companies registered or incorporated under the Companies Act, 1956 (1 of 1956) shall pay the balance of its net profits to the Central Government.

Clause 21 imposes obligation on the Authority to prepare, before the commencement of each financial year a statement of programmes of its activities during the forthcoming financial year as well as financial estimates in respect thereof not less than three months from the commencement of the financial year and submit those for approval of the Central Government.

Clause 22 empowers the Authority to invest its funds (including reserve fund) in the securities of the Central Government or in such other manner as may be prescribed.

Clause 23 empowers the Authority to borrow, with the consent of the Central Government, money from any source by the issue of bonds or debentures or such other instruments as it may deem fit for discharging all or any of its functions under this Bill. The clause lays down also the loans borrowed by the Authority may be guaranteed by the Central Government for the repayment of the principal and the payment of interest thereon.

Clause 24 provides for the audit of the accounts of the Authority annually by the Comptroller and Auditor-General of India.

Clause 25 imposes an obligation on the Authority to prepare and submit to the Central Government after the end of each financial year a report giving an account of its activities during that financial year and the activities which are likely to be undertaken by the Authority during the next financial year. The report so submitted by the Authority to the Central Government shall be laid before the Houses of Parliament.

Clause 26 empowers the Authority to delegate to the Chairman or any member or to any officer of the Authority such of its powers and functions under this Bill (except the rule making power) as it may deem necessary.

Clause 27 provides for authentication of the orders and other instruments of the Authority.

Clause 28 provides that the officers and employees of the Authority when acting or purporting to act in pursuance of the provisions of this legislation or of any rules and regulations made thereunder shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

Clause 29 provides that no suit, prosecution or other legal proceeding shall lie against the Authority or any member, officer or other employee of the Authority for anything done in good faith or intended to be done in pursuance of this Bill.

Clause 30 imposes an obligation on the Authority to provide by regulations for securing the safe custody and restoration of any property, which, while not in proper custody, is found on any premises belonging to the Authority or under its overall control or in any aircraft or any such premises.

Clause 31 lays down that all for the purpose of the Income-tax Act, 1961, the income, profits or gains of the Authority shall be liable to tax under the Income-tax Act, 1961 (43 of 1961) as if it were a Company.

Clause 32 empowers the Authority to carry out on behalf of any person any works or services or any class of works or services on such terms and conditions as may be agreed upto between the Authority and the person concerned.

Clause 33 empowers the Authority or any officer specially authorised by it in this behalf to issue directions consistent with the provisions mentioned in this clause of the Aircraft Act, 1934 and provides for the imposition of penalty for contravention of the said directions.

Clause 34 empowers the Central Government to temporarily divest the Authority of the management of any airport in cases where the Central Government is of the opinion that in the public interest it is necessary or expedient so to do and entrust the functions of the Authority to any person. The Authority shall be given a reasonable opportunity of being heard in the matter before any order is made by the Central Government. Such order divesting the Authority of the management of any airport will be in operation for a period of 6 months from the date on which the management of the aerodrome is entrusted to the authorised person. The Central Government has further been empowered to extend the said period of 6 months for a further period or periods not exceeding eighteen months.

Clause 35 lays down the circumstances under which the Authority may be superseded and the period of such supersession. The clause further empowers the Central Government to extend the period of supersession for such further term not exceeding 6 months as it may consider necessary or constitute an Authority during or on the expiry of the period of supersession.

Clause 36 empowers the Central Government to issue directions to the Authority on questions of policy and the Authority shall be bound by the directions issued in this behalf.

Clause 37 empowers the Central Government to make rules for carrying out the purposes of the Bill. The matters in respect of which rules may be made by the Central Government are enumerated in detail in sub-clause (2).

Clause 38 confers on the Authority the power to make regulations not inconsistent with this Bill and the rules made thereunder to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Bill. The particular matters with respect to which regulations may be made are enumerated in detail in sub-clause (2) and provides for imposition of penalty for contravention of the said regulation.

Clause 39 empowers the Central Government to make any notification in the Official Gazette within one year of the constitution of the Authority any regulation which may be made by the Authority under this Bill. The clause further provides that no regulation so made by the Authority shall not have effect until it has been approved by the Central Government and published in the Official Gazette.

Clause 40 provides that any rule and regulation made under this Bill shall be laid before both Houses.

Clause 41 empowers the Central Government to make such orders as are necessary for removal of any difficulty which may arise while giving effect to the provisions of this Bill within one year from the commencement of this Bill.

Clause 42 seeks to amend clause (*b*) of sub-section (2) of section 5 of the Aircraft Act, 1934 (22 of 1934) to provide for penalty for failure to comply with the directions issued under this section.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of a National Airports Authority for the management of aerodromes (other than aerodromes to which the International Airports Authority Act, 1971 applies), civil enclaves and aeronautical communication stations.

2. Under clause 13 (1) (e) of the Bill, all non-recurring expenditure incurred by the Central Government for or in connection with the purposes of the aerodromes, civil enclaves, aeronautical communication stations, Civil Aviation Training Centre and Fire Services Training School up to the date of the formation of the Authority and declared to be capital expenditure by the Central Government shall be treated as capital provided by the Central Government to the Authority. Clause 13(1) (e) will result in the transfer of assets and property worth approximately Rs. 223.69 crores after taking into account the element of depreciation. The exact value of the assets to be transferred will, however, be decided by the Government after detailed scrutiny of the assets and after determining the value thereof. The capital assets include land and buildings (residential and non-residential) machinery and equipment including communication and navigational aids, crash fire tenders, motor vehicles, etc.

3. Under clause 13(1) (f) of the Bill, all sums of money due to the Central Government in relation to these aerodromes, civil enclaves, aeronautical communication stations, Civil Aviation Training Centre and Fire Services Training School, immedately before the date of the constitution of the Authority shall be deemed to be due to the Authority. The sums of money which under clause 13(1) (f) shall be deemed to be due to the Authority on the date of its formation cannot be estimated at this stage. However, the annual income for the year 1985-86 on this account is estimated to be Rs. 52.35 crores.

4. Clause 18 of the Bill provides for the payment of additional capital, loans and grants to the authority by the Central Government. Payment of additional capital, grants and loans to the Authority will depend on the future requiremets of the Authority in the context of its development plans. The expenditure that may have to be incurred by the Central Government from the Consolidated Fund of India on this account cannot be estimated at present. However, on the basis of proposals made in the Seventh Five Year Plan, an expenditure of Rs. 311.26 crores is likely to be incurred during the years 1986-87 to 1989-90 on capital projects to be executed by the Authority.

5. Clause 23(2) of the Bill provides for the guarantees by the Central Government on the repayment of the principal and the payment of interest, in respect of the loans borrowed by the Authority under subclause (1) of that clause. The ultimate liability arising out of such guarantees cannot be estimated at this stage.

6. The Bill, if enacted and brought into operation, will not involve any other recurring or non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 37 of the Bill empowers the Central Government to make rules for carrying out the purposes of the proposed legislation. The matters with respect to which rules may be made, have been detailed in sub-clause (2) and relate mainly to the conditions of service of the Chairman and other members of the Authority including the salaries payable to the Chairman and to the members who are required to render whole-time services, and fees and allowances payable to the members required to render part-time service; the period of notice required to terminate the appointment of any member who is required to render part-time service and who is not a servant of the Government and the period of notice that may be given to the Central Government by a member before he resigns his office; the conditions and limitations subject to which the Authority may appoint officers and other employees, the terms and conditions subject to which the non-recurring expenditure incurred by the Central Government have or in connection with the purposes of any aerodrome, shall be treated as a capital provided by the Central Government to the Authority; the manner in which the Authority may invest its funds and the form in which the Authority shall prepare the annual statement of accounts including the profit and loss account and the balance-sheet. These are all matters of detail and it is difficult to provide for all these matters in the Bill itself.

2. Clause 38 of the Bill bestows power on the Authority to make regulations not inconsistent with the proposed legislation and the rules made thereunder, to provide for such matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of the legislation. The matters, in respect of which the Authority may make regulations, have been detailed in particular in sub-clause (2) of the clause. The matters, *inter alia*, relate to the time and places of the meetings of the Authority and the procedures to be followed for the transaction of business at such meetings; the conditions of service and remuneration of officers and other employees appointed by the Authority, the contracts or class of contracts which are to be sealed with the common seal of the Authority; the storage or processing of goods in warehouses established by the Authority; the custody or restoration of lost property; securing the safety of aircraft vehicles and persons using the aerodrome and preventing danger to the public arising from the use and operation of the aircraft in the aerodrome; preventing of obstruction within the aerodrome for its normal functioning; prohibiting or restricting access to any part of the aerodrome; preserving order within the aerodrome and preventing damage to property; regulating or restricting advertisements within the aerodrome for the efficient and proper management of the aerodrome. These are all matters of detail and it is difficult to provide for the same in the Bill itself. Under sub-clause (4) of clause 38, no regulation made by the Authority under this legislation, shall have effect until it has been approved by the Central Government and published in the Official Gazette.

3. It has been provided in clause 40 that every rule and regulation made under this Bill, shall be laid before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, for their scrutiny.

4. As the matters with respect to which rules and regulations under the aforesaid provisions are sought to be made are matters of procedure or detail or matters in respect of which it is not practicable to mark express provision in the legislation itself, the delegation of legislative power is of a normal character.

SUBHASH C. KASHYAP
Secretary-General.

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